Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at http://about.jstor.org/participate-jstor/individuals/early-journal-content.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

erosion the boundaries will shift. 17 MICH. L. REV. 95; *Gifford* v. *Yarborough,* 5 Bing 163; *Lovingston* v. *St. Clair County,* 64 Ill. 56. Where, however, by avulsion a river suddenly changes its course or land is suddenly left dry by the recession of the sea there is no change in boundaries. *Gifford* v. *Yarborough, supra; Arkansas* v. *Tennessee, supra.* In the principal case the change in the channel was accomplished slowly enough to meet the requirements of the rule regarding accretion and erosion, but there was neither accretion nor erosion, for the water did not gradually "creep" over the land. Although not strictly a case of avulsion the same reasons for the result in such cases led to a similar result here. See also *Washington* v. *Oregon,* 211 U. S. 127.

CARRIERS—PASSENGERS — NEGLIGENCE. — An apparently healthy passenger fell in stepping from the platform of a ship's companion way into a life boat, both boats being practically motionless. *Held,* it was not negligence for a seaman who steadied her when she began the step to let her go before she placed her foot on the thwart of the life boat. *Goode* v. *Oceanic Steam Nav. Co., Ltd.* (1918), 251 Fed. 556.

Plaintiff made no claim that defendant owed any duty to assist her, but having volunteered to do so, he must exercise due care. That a person under no duty to act, who volunteers assistance will be held liable for injuries caused by his failure to exercise the proper degree of care is well recognized. *Black* v. *Ry. Co.,* 193 Mass. 448. In *Hanlon* v. *Central R. Co. of N. J.,* 187 N. Y. 73, this principle is emphasized. Defendant's servant assisted the plaintiff in alighting from a railway carriage and removed his support before she got down, causing a fall and the injury complained of. The court said, "The situation in this case it is true was not such as to suggest any serious danger to the plaintiff in leaving the car: but, when the conductor assumed to extend his aid in doing so, she had a right to accept it and rely upon his act as being a careful one." This position is approved in *Younglove* v. *Pullman Co.,* 207 Fed. 797 at 802; *Central of Georgia Ry. Co.* v. *Carlisle,* 2 Ala. App. 514; *Moody* v. *Boston & M. R. R.* 189 Mass. 277; *Nashville etc. R. Co.* v. *Newsome et ux* (Tenn. Nov., 1918), 203 S W. 33. In *Southern Traction Co.* v. *Reagor* (Tex.) 186 S. W. 272, the care to be exercised in such cases is characterized as of "the highest degree." It is submitted the generally accepted and correct statement is that the care to be exercised is such as an ordinary, prudent person would exercise under the same circumstances, the degree varying with the circumstances. *Ry. Co.* v. *Newsome et ux, supra.* The court apparently is not disposed to quarrel with this doctrine. It bases its decision on the proposition that the assistance was only for the purpose of helping plaintiff get started. No authority is cited in support of this distinction. None has been found. On the contrary, the cases seem to hold that the purpose is to assist in safely completing the matter in hand. *Black* v. *Ry. Co., supra; Younglove* v. *Pullman Co., supra,* at p. 802; *Hanlon* v. *Ry. Co., supra; Ry. Co.* v. *Marrs,* 27 Ky. L. Rep. 388. The decision stresses the fact that the step was an easy one, that the plaintiff was in apparent good health, that the harbor was calm, etc., creating the impression that the court

considered it as a mere perfunctory offer of assistance not expected to be seriously relied upon nor seriously extended. On this point, *Hanlon* v. *Ry. Co., supra,* would seem to be decisive. Defendant's conjectures on the extent to which the plaintiff intended to rely, or was relying on his assistance should have no weight in determining what reliance the plaintiff might safely place on the offer of assistance Defendant's act was the best evidence by which the plaintiff could regulate her conduct and having offered his service, he had no right to presume it unnecessary so long as the apparent need for it was as great as when offered.

CONSTITUTIONAL LAW—WOMEN AS GRAND JURORS.—The Constitution of Nevada provided that no person should be tried for a capital or other infamous crime except on presentment or indictment of a grand jury. Sec. 27, Art. 4, reads: "Laws shall be made to exclude from serving on juries, all persons not qualified electors of this state." An amendment to the Constitution extended to women the right to be qualified electors. The petitioner in a proceeding in prohibition alleged that he was indicted by a grand jury composed of men and women; and claimed that the indicment was invalid since the suffrage amendment did not operate to make women competent to serve on grand juries. *Held,* that the indictment was valid. Sec. 27, Art. 4, was intended by the framers of the Constitution, to substitute "qualified electors" for the common law qualifications that men only could serve. *Parus* v. *Dist. Court, etc.* (Nevada, 1918), 174 Pac. 706.

The prevailing opinion is hardly supportable. There is no need to resort to hairsplitting to justify the conclusion that the court violated one of the elementary rules of logic, namely, that an affirmative conclusion cannot be drawn from a negative premise. BODE, AN OUTLINE OF LOGIC, 71. The dissenting opinion very correctly declares that the article "is one of exclusion and not of inclusion," that there is "a wide difference between a statute or constitutional provision which imposes jury duty upon a class of persons and one which excludes all other persons except a designated class." The passage from Cooley cited by the dissenting judge points to the proper disposition of the principal case; it declares that the Constitution "is not the beginning of law for the state, but that it assumes the existence of a well understood system which is still to remain in force and be administered, but under such limitations and restrictions as that instrument imposes." *Cooley on Constitutional Limitations* (6th ed.), 75. Thus, an act has been held unconstitutional which made possible a grand jury of ten men in contravention to the common law requirement of at least twelve men. *State* v. *Hartley, 22* Nevada 342, 28 L. R. A. 33; similarly, *Carpenter* v. *State* 4 How. (Miss.), 163, 34 Am. Dec. 116. Since the Nevada Constitution is silent on the question of the structure of the grand jury, the common law must be the source of information on the matter.

At the common law the word 'men' was usually used in connection with the designation of qualifications of grand jurors. Chitty speaks of "men free from all, etc." See *Edwards, The Grand Jury,* 60. Blackstone, speaking of grand juries, said: "Under the word *'homo'* also, though a name common